
**Technology, Energy &
Communications Committee**

HB 3326

Brief Description: Requiring publishers or distributors of commercial telephone directories to provide persons a means to avoid receiving commercial telephone directories.

Sponsors: Representatives Simpson, Hudgins, Pedersen, Kenney and Ormsby.

Brief Summary of Bill

- Provides commercial directory recipients with the ability to opt-out of receiving future commercial directories.
- Provides a penalty for distributing a commercial directory after receiving an opt-out notification from a commercial directory recipient.

Hearing Date: 2/5/08

Staff: Scott Richards (786-7156).

Background:

Utilities and Transportation Commission

The Utilities and Transportation Commission (UTC) is responsible for regulating in the public interest, as provided by the public service laws, the rates, services, facilities, and practices of all persons engaging within this state in the business of supplying any utility service or commodity to the public for compensation. Current UTC regulations require local exchange companies to regularly publish a telephone directory for each local exchange it serves, listing the name, address (unless omission is requested), and primary telephone number for each customer who can be called in that local exchange, and for whom subscriber list information has been provided.

Waste Reduction, Recycling, and Model Litter Control Act

The purpose of the Waste Reduction, Recycling, and Model Litter Control Act (ACT) is to accomplish litter control, increase waste reduction, and stimulate all components of recycling throughout this state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Class 1 Civil Infraction

Any person found to have committed a civil infraction by court of competent jurisdiction shall be assessed a monetary penalty of \$250.

Summary of Bill:

Any person or business that publishes or distributes commercial directories must offer to each recipient of the commercial directory an opportunity to opt-out of receiving future commercial directories.

Any person or business that distributes commercial directories must develop opt-out procedures and provide clear instructions to recipients regarding how they may opt-out. Opt-out instructions must be printed on the front or back page of the commercial directory. Recipients may notify commercial directory publishers or distributors of their preference to opt-out electronically, by telephone, or by mail.

Any person or business that distributes a commercial directory to a recipient after receiving an opt-out notification from that recipient is in violation of state litter control statutes.

The term "commercial directory" means a directory of telephone numbers compiled for a fee, advertisements, and other commercial listings that are published and distributed to homes, businesses, and other locations.

Penalty

It is a class 1 civil infraction of the state Act for a person or business to distribute a commercial directory to a recipient after receiving an opt-out notification for the commercial directory from that recipient.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.